

1 LEONARDO M. RAPADAS
United States Attorney
2 MIKEL W. SCHWAB
Assistant U.S. Attorney
3 Sirena Plaza, Suite 500
108 Hernan Cortez Avenue
4 Hagatna, Guam 96910
Tel: (671) 472-7332
5 Fax: (671) 472-7215


6 *Attorneys for the United States of America*

7 TEKER TORRES & TEKER, P.C.
Suite 2A, 130 Aspinall Ave.
8 Hagåtña, GU 96910
Tel: (671) 477-9891-4
9 Fax: (671) 472-2601

10 *Attorneys for the Estate*

FILED

DISTRICT COURT OF GUAM

NOV 28 2006 

MARY L.M. MORAN
CLERK OF COURT

11
12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE TERRITORY OF GUAM**
14

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16 CASSANDRA CHAU TRUONG,
Administrix of the Estate of
17 ROLAND ANTHONY BOUDREAU
deceased,


18 Plaintiff,

19 vs.

20 UNITED STATES OF AMERICA,

21 Defendant.
22

CIVIL CASE NO. 06-00022

~~(PROPOSED)~~ 

JOINT SCHEDULING ORDER
AND DISCOVERY PLAN

23 Pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure, and Local Rule
24 16.1 for the District Court of Guam, the parties hereby submit the following Scheduling Order
25 and Discovery Plan:

26 1. **Nature of the Case.** This is a complaint for wrongful death filed against the United
27 States under the Federal Tort Claims Act.
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1 (d). **Discovery Cutoff.** The discovery cutoff date (defined as the last date to file
2 responses to discovery) shall be **Friday, September 7, 2007.**

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4 (e). **Expert Discovery:**

5 1. The disclosures of expert testimony required under Federal Rule of Civil
6 Procedure 26(a)(2) shall be made not later than **Friday, October 5, 2007.**

7
8 2. Any designation of rebuttal expert testimony under Rule 26(a)(2) shall be made
9 no later than **Friday, November 2, 2007.**

10
11 3. The depositions of experts may be scheduled at any time at least 20 days
12 subsequent to the submission of rebuttal reports and the depositions of said
13 experts shall be completed no later than **Friday, November 30, 2007.**

14
15 6. **Motions.**

16 (a) The anticipated discovery motions are: **None are anticipated at this time.**

17 All discovery motions shall be filed on or before **Friday, October 26, 2007,** ^{any} ~~and heard on~~
18 ~~Friday, November 30, 2007.~~

19
20 (b) The anticipated dispositive motions are: **Unknown at this time.**

21 All dispositive motions shall be filed on or before **Friday, December 28, 2007,** ^{any} ~~and heard~~
22 ~~on or before Friday, January 11, 2008.~~

23
24 7. **Settlement.** Defendant represents that the prospect for settlement is unlikely.

25 However, Plaintiff believes settlement is quite possible and should be discussed.

1 8. Preliminary Pretrial Conference. The preliminary pretrial conference shall be held
2 on Friday, February 1, 2008 *at 10:30 a.m. - jny*

3
4 9. Pretrial Filings. The parties' pretrial materials, discovery materials, witness lists,
5 exhibit lists, and designation of discovery responses shall be filed on or before **Friday, February**
6 **8, 2008**.

7
8 10. Pretrial Order. The proposed pretrial order shall be filed on or before **Friday,**
9 **February 8, 2008**.

10
11 11. Final Pretrial Conference. The final pretrial conference shall be held on **Tuesday,**
12 **February 19, 2008** *at 10:30 a.m. - jny*

13
14 12. Trial. Trial shall commence at 9:00 *ny* a.m. Monday, February 25, 2008.

15
16 13. Jury. This is a trial to the Court. No jury.

17
18 14. Anticipated Trial Time. It is anticipated that it will take approximately 7 to 10
19 days to try this case.

20
21 15. Identity of Counsel. The counsel involved in this case are:

22 Joseph C. Razzano
23 Teker torres & Teker, P.C.
24 Suite 2A, 130 Aspinall Ave.
25 Hagåtña, GU 96910


26 Mikel W. Schwab - Assistant U.S. Attorney for the United States.
27 U.S. Attorney's Office
28 Sirena Plaza, Suite 500
 108 Hernan Cortez Avenue
 Hagatna, GU 96910

1 16. **Settlement Conference:** Defendant does not wish to submit this case to a Settlement
2 Conference. Plaintiff believes a Settlement Conference is in order and a potential referral to
3 court ordered mediation may assist the parties to a mutually beneficial resolution of this matter.
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5 17. **Suggestions for Shortening Trial.** The parties will explore stipulations as to
6 undisputed facts.
7

8 18. **Case Management Issues:** None at this time.
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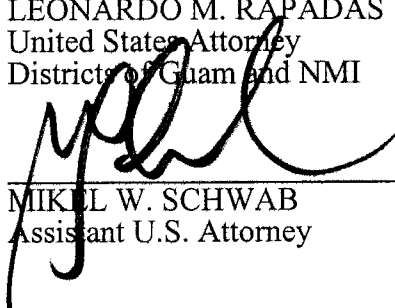
10 DATED this 28th day of November 2006.

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13 JOAQUIN V.E. MANIBUSAN, JR.
14 U.S. MAGISTRATE JUDGE
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NOV 14 2006
DISTRICT COURT OF GUAM
HAGATNA, GUAM

1 APPROVED AS TO FORM AND CONTENT:
2

3 LEONARDO M. RAPADAS
4 United States Attorney
Districts of Guam and NMI

5 
6 MIKEL W. SCHWAB
7 Assistant U.S. Attorney

8 DATED: 11 14 06
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10 
11 JOSEPH C. RAZZANO, Esq.
12 Attorney

13 DATED: 11/14/06
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